

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

BRYAN “MARTY” WAUGH,

Defendant.

23-CR-370-3 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

Defendant Brian (“Marty”) Waugh has requested that the Court order the preparation of the presentence report (“PSR”). ECF No. 114. The Court grants this request and orders the PSR. However, this delay, which was occasioned by the parties’ request to extend the briefing schedule ordered at ECF No. 93, impacts the sentencing date of October 24, 2024. The parties have two options.

First, if the parties elect to proceed with sentencing on October 24, 2024, it is unlikely that an initial presentence report would be submitted until October 17, 2024. In order to keep the sentencing date, the parties would need to file their sentencing submissions simultaneously, and likely, no later than October 21, 2024. Also, any objections to the PSR would be submitted directly to the Court, instead of Probation, and would be ruled on at sentencing.

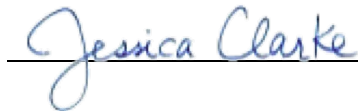
Second, the parties can agree to adjourn the sentencing date. The Court is available the weeks of November 25, December 9, or December 16 for sentencing. With an adjournment, the parties would have sufficient time to submit objections to Probation, would likely receive the final presentence report within 83 days, and would have sufficient time to file sentencing submissions at least one week in advance of sentencing.

The parties are directed to confer and file a joint letter by August 16, 2024 setting forth their position regarding the sentencing date, including their availability if the date is adjourned.

The Clerk of Court is directed to terminate ECF No. 114.

Dated: August 12, 2024
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge